



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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DA 19-1005

Released: October 3, 2019

**WIRELINE COMPETITION BUREAU SEEKS COMMENT ON TRIOTEL
COMMUNICATIONS, INC. PETITION FOR WAIVER OF COMMISSION RULES IN ORDER
TO MERGE RATE-OF-RETURN STUDY AREAS AND MODIFY 2011 REVENUE
REQUIREMENT AND 2011 BASE PERIOD REVENUE**

WC Docket No. 19-283

Comment Date: October 23, 2019

Reply Comment Date: November 4, 2019

By this Public Notice, the Wireline Competition Bureau seeks comment on a petition for waiver of sections 51.917(b)(1) and 51.917(b)(7) of the Commission's rules filed by TrioTel Communications, Inc. (TrioTel).¹ TrioTel seeks a waiver to implement the merger of affiliated rate-of-return study areas in South Dakota by modifying its 2011 interstate switched access revenue requirement and 2011 rate-of-return carrier Base Period Revenue.²

Filing Requirements. Interested parties may file comments and reply comments on or before the dates indicated above.³ All filings must refer to WC Docket No. 19-283.⁴ Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).⁵

- **Electronic Filers:** Comments may be filed electronically using the Commission's online Electronic Comment Filing System (ECFS): <https://www.fcc.gov/ecfs/>.
- **Paper Filers:** Parties who choose to file by paper must file an original and one copy of each filing.
- **Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail.** All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
 - All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, SW, Room TW-A325,

¹ TrioTel Communications, Inc. Petition for Waiver of Sections 51.917(b)(1) and 51.917(b)(7) of the Commission's Rules to modify the 2011 Base Period Revenue in connection with the merger of affiliated study areas in South Dakota, WC Docket No. 19-283 (dated Sept. 18, 2019) (Petition).

² See Petition at 1. The merging rate-of-return study areas are TrioTel-McCook (SAC 391669) (cost-based) and TrioTel-County (SAC 391682) (average schedule). *Id.*

³ See 47 CFR §§ 1.415, 1.419.

⁴ All filings relating to this Public Notice should refer *only* to the docket listed above.

⁵ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington, DC 20554.

Ex Parte Rules. This proceeding shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.⁶ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

People with Disabilities. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at 202-418-0530 (voice), 844-432-2275 (videophone), or 202-418-0432 (TTY).

Additional Information. For further information regarding this Public Notice, please contact Christopher Koves, Attorney Advisor, Wireline Competition Bureau, Pricing Policy Division, at (202) 418-8209 or Christopher.Koves@fcc.gov.

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⁶ 47 CFR §§ 1.1200 *et seq.*